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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	**Applicant(s)**
Office Action Summary	10/734,508	ENDO ET AL.
	Examiner	**Art Unit**	
	Chad Dickerson	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _12 December 2003_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-26_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-26_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _12 December 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2.   Claims 20 and 21 are rejected under 35 U.S.C. 101 because the claimed

invention is directed to non-statutory subject matter.

Re claims 20 and 21: As stated in MPEP 2106.01 under "Functional Descriptive

Material", a claim is treated as a computer program product when a computer program

is recited in conjunction with a physical structure, such as a computer memory. Since

the claim is not recited with a physical structure, such as a computer memory, the claim

will not be treated as a computer program product and is deemed non-statutory.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1, 3-8, 10, 17-24 and 26 rejected under 35 U.S.C. 102(e) as being

anticipated by Smart '691 (US Pub No 2003/0208691).

Re claim 1: Smart '691 discloses printing using secure pickup, the method comprising

steps of:

confirming whether an extended function for a predetermined function is valid in

both of the image supply device and the image output device (i.e. in the system of

Smart '691, the camera (102) desires an output in a format that is different than the

format of the printer (104) which accepts the request. The camera has the ability to

request a certain function (i.e. format transformation) to occur to image data for a

predetermined function (i.e. printing image data) in the system. The system does

establish, or confirm, whether an extended function, such as format transformation, for

the printing function, which is considered as a predetermined function, is a valid request

for the camera, considered as the image supply device, and whether the function is

actually present, or valid, in the printer, which is considered to be the image output

device. Illustrated in figure 10, when a suitable target device is found, it is checked to

see if profile compatibility is found between the profile of the camera and the target

device. If there is not a profile compatibility, an extension function, which is gained

through another device that serves a mediator that performs the extended function for

the predetermined function of printing a document, is acquired through the discovery of

the other devices on the network and confirms that the device that offers the extended

function for the predetermined function of printing, is available for use by the image

output device; see figs. 10 and 20; paragraphs [0124]-[0165]);

generating a control information item including a script for image processing

which is described by a markup language, in a case where it is confirmed the extended

function is valid (i.e. when it is confirmed that an extended function is available for the

printer to use, which is performed by the discovery and/or announcement process, to

process and output an image, a control information item is generated that includes a

script for image processing which is described by XML, which is a markup language.

The script is generated and shown in the script of code {10} on page 11. Also, when it

is determined that a profile matches completely between the camera and the printer, the

camera generates a script and sends the script over to the printer regarding the control

information data and image that is desired to be printed; see figs. 10 and 20;

paragraphs [0124]-[0165]); and

  communicating, between the image supply device and the image output device,

the control information item (i.e. the information that is used to control the printer and

give the attributes of a user's request is in lines 4,5 and 6 of code fragment {8}. The

communication between the camera and the printer of the control item information is

performed through a communications network (1706) shown in figure 2; see figs. 1, 2 10

and 20; paragraphs [0124]-[0165]),

  wherein an extension tag corresponding to the extended function is inserted into

the script while remaining an existing tag corresponding to the predetermined function

(i.e. when looking at the scripts in example 4, the most important parts of script {8} are

in lines 4-6. These lines reflect the type of data being used and the format desired to be

used. When looking at script {13}, the same type of information sent in the first script

from the camera to the printer is in the last script after the extended function of the

intermediate device is used to process the camera's image data. The tag that

represents the extended function used on the image data is {13A} that is above the data

representing the original data {13B}. This is an example of having the tag representing

the extension function inserted into the script while the tag of the predetermined

function, which represents the original data and the printing of that data, is also in the

script; see figs. 10 and 20; paragraphs [0124]-[0165]).

Re claim 3: The teachings of Smart '691 are disclosed above.

Smart '691 discloses the image processing method as set forth in claim 1, wherein the

extension tag is associated with image data to be subjected to image processing in

connection with the extended function (i.e. the code fragment {13} on page 12 shows a

tag that represents an extension tag since the tag allowed the printer to extend the

capability of the printer. The tag is associated with the image data that is going to

undergo or has undergone image processing in connection with the extended function

utilized by the printer in the system; see figs. 10 and 20; paragraphs [0124]-[0165]).

Re claim 4: The teachings of Smart '691 are disclosed above.

Smart '691 discloses the image processing method as set forth in claim 1, wherein the

markup language enables additional definition of a document form (i.e. looking at the

Appendix starting at page 18, tables are shown to enable the markup language used in

the system to further define a document form. These markup languages can define

whether the document is simply a document with text or an image to be processed; see

figs. 10 and 20; paragraphs [0124]-[0165]).

Re claim 5: The teachings of Smart '691 are disclosed above.

Smart '691 discloses the image processing method as set forth in claim 1, wherein the

script includes a control command for the image processing (i.e. in the script from the

camera for image processing, the camera includes tags that have control commands for

printing and these control commands are sent to the printer in the system. The printing

is performed in a certain format that is also designated by the control commands; see

figs. 10 and 20; paragraphs [0124]-[0165]), a response for the control command (i.e. a

printer can respond to the camera by letting the user known through the camera that a

certain amount of pages are printed, or the camera can notify a user that a command is

not supported by the system. These can be seen in the Appendix, Table A2; see figs.

10 and 20; paragraphs [0124]-[0165]), and a notification of a status of the image output

device, which are described by the markup language (i.e. in the system, the printer is

able to notify the camera and system of the status of the service that is being performed

by the system. The printer, or the output device, may notify the user of the status

relating to the output of image data as seen in the Appendix in Table A2; see figs. 10

and 20; paragraphs [0124]-[0165]).

Re claim 6: The teachings of Smart '691 are disclosed above.

Smart '691 discloses the image processing method as set forth in claim 1, wherein the

control information item does not contain the image data therein (i.e. in using the control

information, only the controlling information is contained in the markup language, not

the image data. The commands used to process the image data are used to refer to the

image data that is stored on the camera and not sent on an image file that is sent to the

printer in the first scripts shown in {8}-{10}. The actual image data is not sent in a file in

the beginning of the process, but is referred to in the <getData> command; see

appendix A5 and A6; paragraphs [0080]-[[0107]).

Re claim 7: The teachings of Smart '691 are disclosed above.

Smart '691 discloses the image processing method as set forth in claim 1, wherein a

position of the extension tag in the script is prior to the existing tag (i.e. the fragment of

code, or the script, shown in the fragment of code {13} displays the extension tag

information used to process the image data with an extended function in the system

before the existing tag used to represent the predetermined function, or print function

seen in script {8}, which uses the extended function; see fragments {8}-{13}; paragraphs

[0124]-[0165]).

Re claim 8: The teachings of Smart '691 are disclosed above.

Smart '691 discloses the image processing method as set forth in claim 1, wherein the

extended tag specifies image processing unique to a vendor of the image supply device

(i.e. when using the extended tag for specifying image processing, the processing is

unique to the vendor of the camera since the system outputs the image data in a

manner that is reflective of the image data in the camera. If the image data in the

camera is high resolution, the extended tag specifies a high resolution function to

transform previous data to high resolution data reflective of the camera and outputs this data to the printer; see fig. 10 and 20; paragraphs [0124]-[0165]).

Re claim 10: The teachings of Smart '691 are disclosed above.

Smart '691 discloses the image processing method as set forth in claim 8, wherein the image output device performs the information processing specified by the extension tag among the information processing corresponding to the predetermined function, in a case where it is confirmed the extended function is valid (i.e. the printer, when it receives the code fragment {13}, performs the information processing, which is specified by the extension tag in the script which corresponds to the predetermined function of printing the image data. The printing of the image has occurred because the system confirmed that an extended function was available, or valid, to perform the extension functionality of the printer in order to print the image data in the desired fashion. Once the printer receives the image data with the extension tag in the fragment code {13}, the printer will output the data in that format; see figs. 10 and 20; paragraphs [124]-[165]).

Re claim 17: Smart '691 discloses printing using secure pickup, comprising:

an image supply device, operable to store image data (i.e. the camera, considered as the image supply device, stored images in an internal memory as the information (110); see paragraph [0049]); and

an image output device, connected to the image supply device via a communication path through which the image data is communicated, and operable to

perform image processing with respect to the image data (i.e. the communication

between the camera and the printer of the control item information is performed through

a communications network (1706) shown in figure 2. The communication of the control

data to the printer makes the printer perform image processing; see figs. 1, 2 10 and 20;

paragraphs [0124]-[0165]),

wherein each of the image supply device and the image output device

comprises:

a communication controller, operable to communicate, between the image supply

device and the image output device, a control information item for the image processing

including a script described by a markup language (i.e. the information that is used to

control the printer and give the attributes of a user's request is in lines 4,5 and 6 of code

fragment {8}. The communication between the camera and the printer of the control

item information is performed through a communications network (1706) shown in figure

2 and the code that communicates this information is XML. Since the printer and

camera have a means for communicating information in the system, it is understood

that this means is analogous to the communication controller and performs the function;

see figs. 1, 2 10 and 20; paragraphs [0124]-[0165]); and

a script generator, operable to confirm whether an extended function for a

predetermined function is valid in both of the image supply device and the image output

device, and operable to generate the script in which an extension tag corresponding to

the extended function is inserted while remaining an existing tag corresponding to the

predetermined function, in a case where it is confirmed the extended function is valid

(i.e. in the system of Smart '691, the camera (102) desires an output in a format that is

different than the format of the printer (104) which accepts the request. The camera

has the ability to request a certain function (i.e. format transformation) to occur to image

data for a predetermined function (i.e. printing image data) in the system. The system

does establish, or confirm, whether an extended function, such as format

transformation, for the printing function, which is considered as a predetermined

function, is a valid request for the camera, considered as the image supply device, and

whether the function is actually present, or valid, in the printer, which is considered to be

the image output device. Illustrated in figure 10, when a suitable target device is found,

it is checked to see if profile compatibility is found between the profile of the camera and

the target device. If there is not a profile compatibility, an extension function, which is

gained through another device that serves a mediator that performs the extended

function for the predetermined function of printing a document, is acquired through the

discovery of the other devices on the network and confirms that the device that offers

the extended function for the predetermined function of printing, is available for use by

the image output device. Both the printer and the camera generate scripts to

communicate to one another the status of whether a certain printer is a perfect match in

profiles with the camera or whether the camera needs to transfer the image data stored

on the camera to a codec for an extended function to occur on the image data in order

for the image to be printed. The fragments of code generated and shown in fragments

{10}-{13B} are examples of code being generated by both the printer and the camera.

Also, when looking at the scripts in example 4, the most important parts of script {8} are

in lines 4-6. These lines reflect the type of data being used and the format desired to be used. When looking at script {13}, the same type of information sent in the first script from the camera to the printer is in the last script after the extended function of the intermediate device is used to process the camera's image data. The tag that represents the extended function used on the image data is {13A} that is above the data representing the original data {13B}. This is an example of having the tag representing the extension function inserted into the script while the tag of the predetermined function, which represents the original data and the printing of that data, is also in the script. Since a script is generated every time the camera and printer have to communicate with other devices, it is understood that a means in the system is used to perform the function of the script generator; see figs. 10 and 20; paragraphs [0124]-[0165]).

Re claim 18: Smart '691 discloses printing using secure pickup, the image output device comprising:

a communication controller, operable to communicate a control information item for image processing to be performed with respect to the image data, the control information item including a script described by a markup language (i.e. the communication between the camera and the printer of the control item information is performed through a communications network (1706) shown in figure 2. The communication of the control data to the printer makes the printer perform image processing and the code that communicates this information is XML. Since the printer

has a means for communicating information in the system, it is understood that this

means is analogous to the communication controller and performs the function; see figs.

1, 2 10 and 20; paragraphs [0124]-[0165]); and

a script generator, operable to confirm whether an extended function for a

predetermined function is valid in both of the image supply device and the image output

device, and operable to generate the script in which an extension tag corresponding to

the extended function is inserted while remaining an existing tag corresponding to the

predetermined function, in a case where it is confirmed the extended function is valid

(i.e. in the system of Smart '691, the camera (102) desires an output in a format that is

different than the format of the printer (104) which accepts the request. The camera

has the ability to request a certain function (i.e. format transformation) to occur to image

data for a predetermined function (i.e. printing image data) in the system. The system

does establish, or confirm, whether an extended function, such as format

transformation, for the printing function, which is considered as a predetermined

function, is a valid request for the camera, considered as the image supply device, and

whether the function is actually present, or valid, in the printer, which is considered to be

the image output device. Illustrated in figure 10, when a suitable target device is found,

it is checked to see if profile compatibility is found between the profile of the camera and

the target device. If there is not a profile compatibility, an extension function, which is

gained through another device that serves a mediator that performs the extended

function for the predetermined function of printing a document, is acquired through the

discovery of the other devices on the network and confirms that the device that offers

the extended function for the predetermined function of printing, is available for use by

the image output device. Both the printer and the camera generate scripts to

communicate to one another the status of whether a certain printer is a perfect match in

profiles with the camera or whether the camera needs to transfer the image data stored

on the camera to a codec for an extended function to occur on the image data in order

for the image to be printed. The fragments of code generated and shown in fragments

{10}-{13B} are examples of code being generated by both the printer and the camera.

Also, when looking at the scripts in example 4, the most important parts of script {8} are

in lines 4-6. These lines reflect the type of data being used and the format desired to be

used. When looking at script {13}, the same type of information sent in the first script

from the camera to the printer is in the last script after the extended function of the

intermediate device is used to process the camera's image data. The tag that

represents the extended function used on the image data is {13A} that is above the data

representing the original data {13B}. This is an example of having the tag representing

the extension function inserted into the script while the tag of the predetermined

function, which represents the original data and the printing of that data, is also in the

script. Since a script is generated every time the camera and printer have to

communicate with other devices, it is understood that a means in the system is used to

perform the function of the script generator; see figs. 10 and 20; paragraphs [0124]-

[0165]).

Re claim 19: Smart '691 discloses printing using secure pickup, the image supply device

comprising:

a storage, which stores image data to be subjected to the image processing (i.e.

the camera, considered as the image supply device, stored images in an internal

memory as the information (110); see paragraph [0049]);

a communication controller, operable to communicate a control information item

for the image processing including a script described by a markup language (i.e. the

communication between the camera and the printer of the control item information is

performed through a communications network (1706) shown in figure 2. The

communication of the control data to the printer makes the printer perform image

processing and the code that communicates this information is XML. Since the camera

has a means for communicating information in the system, it is understood that the

means is analogous to the communication controller and performs the function; see figs.

1, 2 10 and 20; paragraphs [0124]-[0165]); and

a script generator, operable to confirm whether an extended function for a

predetermined function is valid in both of the image supply device and the image output

device and operable to generate the script in which an extension tag corresponding to

the extended function is inserted while remaining an existing tag corresponding to the

predetermined function, in a case where it is confirmed the extended function is valid in

the system of Smart '691, the camera (102) desires an output in a format that is different

than the format of the printer (104) which accepts the request. The camera has the

ability to request a certain function (i.e. format transformation) to occur to image data for

a predetermined function (i.e. printing image data) in the system. The system does

establish, or confirm, whether an extended function, such as format transformation, for

the printing function, which is considered as a predetermined function, is a valid request

for the camera, considered as the image supply device, and whether the function is

actually present, or valid, in the printer, which is considered to be the image output

device. Illustrated in figure 10, when a suitable target device is found, it is checked to

see if profile compatibility is found between the profile of the camera and the target

device. If there is not a profile compatibility, an extension function, which is gained

through another device that serves a mediator that performs the extended function for

the predetermined function of printing a document, is acquired through the discovery of

the other devices on the network and confirms that the device that offers the extended

function for the predetermined function of printing, is available for use by the image

output device. Both the printer and the camera generate scripts to communicate to one

another the status of whether a certain printer is a perfect match in profiles with the

camera or whether the camera needs to transfer the image data stored on the camera

to a codec for an extended function to occur on the image data in order for the image to

be printed. The fragments of code generated and shown in fragments {10}-{13B} are

examples of code being generated by both the printer and the camera. Also, when

looking at the scripts in example 4, the most important parts of script {8} are in lines 4-6.

These lines reflect the type of data being used and the format desired to be used.

When looking at script {13}, the same type of information sent in the first script from the

camera to the printer is in the last script after the extended function of the intermediate

device is used to process the camera's image data. The tag that represents the

extended function used on the image data is {13A} that is above the data representing

the original data {13B}. This is an example of having the tag representing the extension

function inserted into the script while the tag of the predetermined function, which

represents the original data and the printing of that data, is also in the script. Since a

script is generated every time the camera and printer have to communicate with other

devices, it is understood that a means in the system is used to perform the function of

the script generator; see figs. 10 and 20; paragraphs [0124]-[0165].

Re claim 20: The teachings of Smart '691 are disclosed above.

Smart '691 discloses a computer program product comprising a computer program

which causes a computer to serve as the communication controller and the script

generator in the image output device as set forth in claim 18 (i.e. a computer program

product is used to cause the computers used in the system to serve as communication

controllers, since the computers communicate with other devices, and as script

generators, since the computers used in both the camera and printer are used to

develop scripts, or fragments of code, when communicating instructions to one another;

see paragraphs [0039]-[0047]).

Re claim 21: The teachings of Smart '691 are disclosed above.

Smart '691 discloses a computer program product comprising a computer program

which causes a computer to serve as the communication controller and the script

generator in the image supply device as set forth in claim 19 (i.e. a computer program

product is used to cause the computers used in the system to serve as communication

controllers, since the computers communicate with other devices, and as script

generators, since the computers used in both the camera and printer are used to

develop scripts, or fragments of code, when communicating instructions to one another;

see paragraphs [0039]-[0047].

Re claim 22: Smart '691 discloses printing using secure pickup, the method comprising

steps of:

receiving, from the image supply device, a control information item including a

script for image processing, the script being described by a markup language includable

an extension tag corresponding to an extended function pertaining to the image

processing (i.e. when it is confirmed that an extended function is available for the printer

to use, which is performed by the discovery and/or announcement process, to process

and output an image, a control information item is generated that includes a script for

image processing which is described by XML, which is a markup language. The script

is generated and shown in the script of code {10} on page 11. Also, when it is

determined that a profile matches completely between the camera and the printer, the

camera sends a script over to the printer regarding the control information data and

image that is desired to be printed. If the profiles do not match, the script is sent from

the camera, through the codec, to the printer. The script in this process contains an

extension tag that signifies that extended function that will occur to the image data

before the image data reaches the printer for an output. The extension tag is used for

image processing performed on the image data before the arrival to the printer; see figs.

10 and 20; paragraphs [0124]-[0165]); and

performing the image processing with respect to the image data, based on the

control information item (i.e. the image processing performed on the image data is

based on the control information sent from the camera once that control information

reaches the printer, or the control information is used during the execution of the

extension function before printing; see figs. 10 and 20; paragraphs [0124]-[0165]).

Re claim 23: Smart '691 discloses printing using secure pickup, the method comprising

steps of:

generating a control information item including a script for the image processing

which is described by a markup language (i.e. when it is determined that a profile

matches completely between the camera and the printer, the camera generates a script

and sends the script over to the printer regarding the control information data regarding

the image processing and image that is desired to be printed; see figs. 10 and 20;

paragraphs [0124]-[0165]); and

inserting an extension tag corresponding to an extended function pertaining to

the image processing (i.e. the extension tag is inserted in the script when the printer

sends a request over to the codec and the codec lets the camera know that an

extended function needs to occur to the camera's images before printing. The

extension tag is now inserted once the extension function has occurred to the image

data and the image data is sent to the printer. This automatic insertion can be seen in code fragment {13} in reference to the image data being in "BMP" form; see fig. 10 and 20; paragraphs [0124]-[0165]).

Re claim 24: Smart '691 discloses printing using secure pickup, the item comprising

a script for the image processing which is described by a markup language includable an extension tag corresponding to an extended function of the image processing data (i.e. the extension tag is inserted in the script when the printer sends a request over to the codec and the codec lets the camera know that an extended function needs to occur to the camera's images before printing. The extension tag is now inserted once the extension function has occurred to the image data and the extension function, which includes the image data, is sent to the printer. This extension tag can be seen in code fragment {13} in reference to the image data being in "BMP" form, which represents the extended function used to process the image data; see fig. 10 and 20; paragraphs [0124]-[0165]).

Re claim 26: Smart '691 discloses printing using secure pickup, the method comprising steps of:

generating a control information item including a script for the image processing which is described by a markup language (i.e. when it is determined that a profile matches completely between the camera and the printer, the camera generates a script and sends the script over to the printer regarding the control information data regarding

the image processing and image that is desired to be printed; see figs. 10 and 20;

paragraphs [0124]-[0165]);

selecting image data to which an extended function pertaining to the image

processing is to be applied (i.e. the user is able to view images stored on a camera on a

browser. The image displayed on the browser can be selected and a desired print

format can be output to the printer that will perform the printing operation. Once it has

been determined that the image data needs the extension function to perform

processing before printing, the camera selects the images and sends the images to the

printer through the extension function that will perform the extended function on the

images before the images are printed; see figs. 10 and 18-20; paragraphs [0084]-[0121]

and [0124]-[0165]); and

inserting automatically an extension tag corresponding to the extended function

into the script associated with the selected image data (i.e. the extension tag is

automatically inserted in the script when the printer sends a request over to the codec

and the codec lets the camera know that an extended function needs to occur to the

camera's images before printing. The extension tag is now automatically inserted once

the extension function has occurred to the image data and the image data is sent to the

printer. This automatic insertion can be seen in code fragment {13} in reference to the

image data being in "BMP" form; see fig. 10 and 20; paragraphs [0124]-[0165]).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smart

'691 in view of Nguyen '941 (US Pat No 7136941).

Re claim 2: The teachings of Smart '691 are disclosed above.

Smart '691 discloses the image processing method, wherein the extension tag is

inserted at a nest level than the existing tag (i.e. looking at the code script {13}, the "OR"

listed illustrates that the code is before or after the "OR" function can be can be

interpreted by the system's parser. This example shows the existing tag of the printing

operation of the code shown in fragment {8}, considered as the predetermined function,

also shown in fragment {13}. The above feature shows the extension tag inserted at a

nest level higher than the existing tag for printing; see code fragment {13} on page 12;

paragraphs [0124]-[0165]).

       However, this is well known in the art as evidenced by Nguyen '941. Nguyen

'941 discloses wherein the extension tag is inserted at a lower nest level than the

existing tag (i.e. Nguyen '941 shows in figures 5a and 5b, the general properties that are

nested at a higher level in the XML schema, but listed in the lower level of the schema

is specific properties of the general properties above. This shows the extension of

functions nested at a lower level then an existing general tag. With the inserting of an

extension tag in the fragment of code with an existing tag in Smart '691 combined with

the feature of having a specific feature nested in a lower level than a general feature in

Nguyen '941, the above feature is performed; see col. 17, lines 11-35).

Therefore, in view of Nguyen '941, it would have been obvious to one of ordinary

skill at the time the invention was made to an extension tag is inserted at a lower nest

level than the existing tag in order to have specific properties of general properties at a

lower level in the tree structure (as stated in Nguyen '941 col. 17, lines 11-35).

7.   Claims 9, 16 and 25 rejected under 35 U.S.C. 103(a) as being unpatentable over

Smart '691 in view of Kuwata '833 (US Pub No 2002/0030833).

Re claim 9: The teachings of Smart '691 are disclosed above.

Smart '691 discloses the image processing method as set forth in claim 8, wherein:

control data pertaining to the image processing specified by the extension tag

(i.e. the extension tag, which is used to perform extended functions on the image data

sent in the system, has control information pertaining the image processing to be

performed on the image data sent in the system to the printer from the camera. When

viewing the different scripts, or fragments of code {8} through {13}, the control data

pertaining to the image processing is specified by the extension tag used in the

fragment codes; see figs. 10 and 20; paragraphs [0124]-[0165]); and

the image output device performs the image processing with respect to the

image data based on the control data (i.e. the image output device outputs the data of

the image based on the control data that is used to process the image data. If the

camera and printer both have matching profiles, the control data sent in regards to the

image data controls the manner in which the printer outputs the image and this feature

performs image processing of the image data based on the control data sent from the

camera to the printer; see figs. 10 and 20; paragraphs [0124]-[0165]).

However, Smart '691 fails to teach appended in a file storing the image data.

However, this is well known in the art as evidenced by Kuwata '833. Kuwata '833

discloses appended in a file storing the image data (i.e. in figure 1, Kuwata '833

discloses a file that has control data pertaining to the image processing that is

appended, or added, in a file storing the image data. The overall figure in figure 1

represents that file that contains both the instructions and the image data. With the

combination of the extension tags in Smart '691 combined with the appending of the

data in a file of Kuwata '833, the above feature is performed; see fig. 1; paragraphs

[0066]-[0069]).

Therefore, in view of Kuwata '833, it would have been obvious to one of ordinary

skill at the time the invention was made to have an extension file appended in a file

storing the image data in order to have an image file that includes both an image data

storage area and a control information storage area (as stated in Kuwata '833

paragraph [0066]).

Re claim 16: The teachings of Smart '691 are disclosed above.

Smart '691 discloses the image processing method as set forth in claim 1, further

comprising steps of specifying, at the image output device, a size of a recording

medium specified by the control information item (i.e. in the system, the print-size along

with other features are included in an images profile. This profile represents the things

needed to fulfill the print job desired by the user. If the profile is fulfilled by a certain

printer, that printer can print the print job without using an extended function offered in

the system; see figs. 10 and 20; paragraph [0115] and [0124]-[0165]);

generating, at the image output device, an invalid notification using the extension

tag, in a case where the recording medium specified by the control information item is

invalid in the image output device (i.e. at the printer, an notification that a certain feature

is not available on the printer is generated. For example, when a tag representing the

data of an extended feature, such as print-size, is not available, the printer generates a

signal to notify the camera that the profile does not completely match the profile of the

camera's options and therefore, that printer is invalid when it comes to using the desired

print-size. The print-size is considered to be an extended feature in this example since

the print-size is used to extend the functionality of the printer to fully utilize the printer to

meet the conditions of the camera; see figs. 10 and 20; paragraph [0115] and [0124]-

[0165]); and

transmitting, to the image supply device, the invalid notification as a part of the

control information item (i.e. once the printer determines that all the conditions set on by

the camera cannot be met, it sends a signal to the respective devices on the network to

extend the functionality of the printer desired and a notice is sent to the camera to let

the camera know that this function is invalid in the printer, but the function can be sent

to another device in the chain that will extend the functionality of the printer desired to

complete the requested print job; see figs. 10 and 20; paragraph [0115] and [0124]-

[0165]).

However, Smart '691 fails to teach a type of a recording medium specified.

However, this is well known in the art as evidenced by Kuwata '833. Kuwata '833

discloses a type and a size of a recording medium specified (i.e. in the system of

Kuwata '833, the paper type and other specifications can be specified for the printer for

printing processing conditions; see paragraph [0077]).

Therefore, in view of Kuwata '833, it would have been obvious to one of ordinary

skill at the time the invention was made to have a type of a recording medium specified

in order to specify printing processing conditions (as stated in Kuwata '833 paragraph

[0077]).

Re claim 25: The teachings of Smart '691 are disclosed above.

Smart '691 discloses an image processing method, performed by an image output

device connected to an image supply device storing image data, via a communication

path through which the image data is communicated, the method comprising steps of:

receiving, from the image supply device, a control information item including a

script for image processing which is described by a markup language includable an

extension tag corresponding to an extended function of the image processing (i.e. when

it is confirmed that an extended function is available for the printer to use, which is

performed by the discovery and/or announcement process, to process and output an

image, a control information item is generated that includes a script for image

processing which is described by XML, which is a markup language. The script is

generated and shown in the script of code {10} on page 11. Also, when it is determined

that a profile matches completely between the camera and the printer, the camera

sends a script over to the printer regarding the control information data and image that

is desired to be printed. If the profiles do not match, the script is sent from the camera,

through the codec, to the printer. The script in this process contains an extension tag

that signifies that extended function that will occur to the image data before the image

data reaches the printer for an output. The extension tag is used for image processing

performed on the image data before the arrival to the printer; see figs. 10 and 20;

paragraphs [0124]-[0165]); and

performing the image processing with respect to the image data, based on at

least one of the control information item and the correction information item (i.e. the

image processing performed on the image data is based on the control information sent

from the camera once that control information reaches the printer, or the control

information is used during the execution of the extension function before printing; see

figs. 10 and 20; paragraphs [0124]-[0165]).

However, Smart '691 fails to teach reading out a correction information item

preset in the image output device to correct the image data in a predetermined manner.

However, this is well known in the art as evidenced by Kuwata '833. Kuwata '833

discloses reading out a correction information item preset in the image output device to

correct the image data in a predetermined manner (i.e. in Kuwata '833, the CPU (30)

searches for a print matching tag and if the tag is not present, the pre-held image

processing information in the printer in the ROM (31) is used to execute normal image

processing to the image. The image processing can include gamma correction and the

image processing can be considered as a correction information item preset in the

output device since this information ca be pre-held in the device and this can include

gamma correction. Gamma correction is a manner of correcting image data in a

predetermined manner that can be described by the pre-held image processing

information; see paragraphs [0097]-[0110]).

Therefore, in view of Kuwata '833, it would have been obvious to one of ordinary

skill at the time the invention was made to have the system read out a correction

information item preset in the image output device to correct the image data in a

predetermined manner in order to obtain pre-held image processing information if a

print matching feature is not found (as stated in Kuwata '833 paragraph [0102]).

8.   Claims 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Smart '691 in view of Okada '699 (US Pat No 6980699).

Re claim 11: The teachings of Smart '691 are disclosed above.

Smart '691 discloses the image processing method as set forth in claim 1, wherein the extension tag specifies image processing

However, Smart '691 fails to teach in which another image is combined with an original image of the image data.

However, this is well known in the art as evidenced by Okada '699. Okada '699 discloses in which another image is combined with an original image of the image data (i.e. in the background of the invention, the user is given the ability to choose the frame that will be combined with the photo the user has taken. In the prior art system, the frame is used to be combined with the photo. The frame, considered to be another image, is combined with an original image, considered as the user's photo, of the image data in the system; see col. 1, lines 30-40).

Therefore, in view of Okada '699, it would have been obvious to one of ordinary skill at the time the invention was made to have another image combined with an original image of the image data in order to combine the user's photo with a selected frame (as stated in Okada '699 col. 1, lines 30-40).

Re claim 12: The teachings of Smart '691 in view of Okada '699 are disclosed above. Smart '691 discloses the image processing method as set forth in claim 11, wherein the extension tag specifies image data (i.e. the extension tag specifies the image data and the tag specifically specifies the image processing that will be performed on the image data specified; see figs. 10 and 20; paragraphs [0124]-[0165]).

However, Smart '691 fails to teach for a frame image.

However, this is well known in the art as evidenced by Kuwata '833. Kuwata '833

discloses for a frame image (i.e. in Okada '699 a frame image is specified and selected

by the user to be used in combination with an image that is photographed by the user in

the system. With the extension tag used in Smart '691 able to specify different image

parameters to be performed to the original image in combination with the system of

Okada '699 that is able to specify image data for a frame to be combined with an

original image, the above feature is met; see col. 1, lines 30-40).

Therefore, in view of Okada '699, it would have been obvious to one of ordinary

skill at the time the invention was made to have an extension tag to specify image data

for a frame image in order to have a frame selected for combining with a photo (as

stated in Okada '699 col. 1, lines 30-40).

Re claim 13: The teachings of Smart '691 in view of Okada '699 are disclosed above.

Smart '691 discloses The image processing method as set forth in claim 12, wherein the

image output device outputs an image (i.e. the printer used in Smart '691 is used to

perform the printing operation for any camera or other image supply device that is

capable of using the printer for printing services; see figs. 10 and 20; paragraphs

[0124]-[0165]).

However, Smart '691 fails to teach in which the frame image is combined with the

original image.

However, this is well known in the art as evidenced by Okada '699. Okada '699

discloses in which the frame image is combined with the original image (i.e. in the

background of the invention, the frame image selected by the user is used to be

combined with the original image that user has photographed. The apparatus used in

the system performs the combining feature. With the feature of Smart '691 having an

output device that outputs images combined with the device of Okada '699 that has an

apparatus that allows for the frame image to be combined with the original image

photographed, the above feature is performed; see col. 1, lines 30-40).

Therefore, in view of Okada '699, it would have been obvious to one of ordinary

skill at the time the invention was made to have an output image device output an

image in which a frame image is combined with the original image in order to have an

apparatus combine the frame with the user's photo (as stated in Okada '699 col. 1, lines

30-40).

Re claim 14: The teachings of Smart '691 in view of Okada '699 are disclosed above.

Smart '691 discloses the image processing method as set forth in claim 12, wherein the

extension tag specifies image data (i.e. the extension tag specifies the image data and

the tag specifically specifies the image processing that will be performed on the image

data specified; see figs. 10 and 20; paragraphs [0124]-[0165]).

However, Smart '691 fails to teach for a background image.

However, this is well known in the art as evidenced by Okada '699. Okada '699

discloses for a background image (i.e. in Okada '699, the system has a background

image selection mode that allows a user to select a specific background to be used in

the background of the user's desired image. With the feature of Smart '691 having an

extension tag to specify image data combined with the feature of Okada '699 that
teaches having a user specify image data for a background image, the two features of
these inventions combined perform the above feature; see col. 6, lines 1-60).

Therefore, in view of Okada '699, it would have been obvious to one of ordinary
skill at the time the invention was made to have an extension tag specify image data for
a background image in order to have the background image data specified in the
system (as stated in Okada '699 col. 4, lines 9-30).

Re claim 15: The teachings of Smart '691 in view of Okada '699 are disclosed above.
Smart '691 discloses the image processing method as set forth in claim 14, wherein the
image output device outputs an image (i.e. the printer used in Smart '691 is used to
perform the printing operation for any camera or other image supply device that is
capable of using the printer for printing services; see figs. 10 and 20; paragraphs
[0124]-[0165]).

However, Smart '691 fails to teach in which the frame image and the background
image are combined with the original image.

However, this is well known in the art as evidenced by Okada '699. Okada '699
discloses in which the frame image and the background image are combined with the
original image (i.e. the invention may take an original image loaded from another source
and combine that that image with a frame. With the frame, the background image
selection button that allows a user to select a background image may modify the image.
Later on in the process of modifying the image, the apparatus can combine an image

already combined with a frame, with a background that the user chooses. With the

above description of Okada '699, the above feature of the claim is performed; see col. 3,

lines 15-62, col. 4, lines 9-30 and col. 6, lines 1-60).

Therefore, in view of Okada '699, it would have been obvious to one of ordinary

skill at the time the invention was made to have an output device output an image in

which the frame image and the background image are combined with the original image

in order to have a frame image combined with an original image and have the system in

a mode that allows for a background to be combined with the input image (as stated in

Okada '699 col. 3, lines 15-62 and col. 4, lines 9-30).

Conclusion

9.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

10.   Kuwata '833 (US Pub No 2002/0030833) discloses a system which has original

functions and offset data that are extensions of the original functions and the system

searches for the offset data to optimize the image in a manner desired by a user using

the capturing device that captured the image to be processed.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Chad Dickerson whose telephone number is (571)-270-

1351. The examiner can normally be reached on Mon. thru Thur. 9:00-6:30 Fri. 9:00-

5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Aung Moe can be reached on (571)- 272-7314. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

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CD/

Chad Dickerson

August 9, 2007

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